

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

DANIEL DUANE HATCH,

Petitioner,

v.

JACK WARNER,

Respondent.

CASE NO. 3:24-CV-5900-BJR-DWC

ORDER WITHDRAWING REPORT
AND RECOMMENDATION

This federal habeas action has been referred to United States Magistrate Judge David W. Christel. On January 6, 2025, the undersigned issued a Report and Recommendation to dismiss this action without prejudiced based on Petitioner Daniel Duane Hatch's failure to pay the \$5 filing fee and his failure to respond to a show cause order regarding that unpaid fee. Dkt. 5; *see also* Dkt. 4 (show cause order). Petitioner objected to the Report and Recommendation, stating he attempted to pay the filing fee in response to the Court's show cause order. Dkt. 6. Two months after the Report and Recommendation was issued, the Clerk of Courts identified a clerical error that prevented Petitioner's payment of the required fee from being reflected on the docket in this case. Dkt. 7.

1 As Petitioner has paid the \$5 filing fee, the undersigned hereby vacates the Report and
2 Recommendation (Dkt. 5) entered on the January 6, 2025. As the Report and Recommendation is
3 vacated, Petitioner's objections (Dkt. 6) are deemed moot.

4 Dated this 21st day of March, 2025.

5 
6 _____

7 David W. Christel
8 United States Magistrate Judge
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24